

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IVELISSE G. RODRIGUEZ and )  
WILFREDO RODRIGUEZ, )  
individually and on behalf of the classes )  
defined herein, )

Plaintiffs, )

v. )

CAPITAL ONE HOME LOANS, LLC; )  
HSBC MORTGAGE SERVICES, INC; )  
MORTGAGE ELECTRONIC )  
REGISTRATION SYSTEMS; and DOES )  
1-5, )

Defendants. )

Case No. 08 C 1723

Honorable David H. Coar

**DEFENDANT CAPITAL ONE HOME LOANS, LLC'S UNOPPOSED MOTION  
FOR AN EXTENSION OF TIME TO FILE ITS  
RESPONSIVE PLEADING TO PLAINTIFFS' COMPLAINT**

Defendant Capital One Home Loans, LLC, ("Capital One") by and through its undersigned attorneys, respectfully moves this Court for an extension of time to file its responsive pleading to the Complaint filed by Plaintiffs, Ivelisse G. Rodriguez and Wilfredo Rodriguez ("Plaintiffs"). In support of its motion, Capital One states as follows:

1. On March 25, 2008, Plaintiffs filed their Amended Complaint against, *inter alia*, Capital One.
2. On April 16, 2008, Capital One's counsel learned that service was purportedly effectuated on Capital One and that Capital One's response to the Complaint is due on April 21, 2008.
3. Capital One's counsel needs additional time to review the materials in order to file an appropriate responsive pleading to Plaintiffs' Complaint.

4. Therefore, Capital One requests that this Honorable Court grant Capital One an additional thirty (30) days, up to and including May 21, 2008 to respond to Plaintiffs' Complaint.

5. Counsel for Capital One has conferred with Plaintiffs' counsel and he does not oppose this Motion.

WHEREFORE, Defendant Capital One Home Loans, LLC respectfully requests that this Honorable Court grant Capital One an extension of time, up to and including May 21, 2008 to file its responsive pleading to Plaintiffs' Complaint and grant whatever further relief this Court deems just and appropriate.

DATED: April 17, 2008

Respectfully submitted,

CAPITAL ONE

By: /s/ Daniel P. Bubar  
One Of Its Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on this 17th day of April, 2008, a copy of the foregoing **DEFENDANT'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE ITS RESPONSIVE PLEADING TO PLAINTIFFS' COMPLAINT** was filed electronically. Notice of this filing will be sent to the following attorney by operation of the Court's electronic filing system.

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